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15 Attorneys for The Roman Catholic Archbishop of  
San Francisco

16 UNITED STATES BANKRUPTCY COURT  
17  
18 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

19 In re

20 THE ROMAN CATHOLIC ARCHBISHOP  
OF SAN FRANCISCO,

21 Debtor and  
22 Debtor in Possession.

Case No. 23-30564

Chapter 11

**DEBTOR'S OBJECTION TO THE  
OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS' PROPOSED  
FORM OF ORDER GRANTING MOTION  
FOR AN ORDER AUTHORIZING  
DISCLOSURE OF INDEPENDENT  
REVIEW BOARD MINUTES**

DATE: March 13, 2025  
TIME: 1:30 p.m.  
PLACE: Courtroom 17  
450 Golden Gate Ave.  
San Francisco, CA 94102

**TO THE HONORABLE DENNIS MONTALI, THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS, AND ALL OTHER PARTIES IN INTEREST:**

The Roman Catholic Archbishop of San Francisco, the debtor and debtor in possession (the “Debtor”) in the above-captioned chapter 11 bankruptcy case (the “Case”), objects (the “Objection”) to the proposed form of order “as to the Minutes entirely”<sup>1</sup> submitted by the Official Committee of Unsecured Creditors (the “Committee Order”) to the Court for review and entry on the docket in this Case. For the reasons set forth below, the Debtor respectfully requests that the Court enter that form of order appended to this Objection as Exhibit 1 (the “Debtor Order”).<sup>2</sup>

On March 26, 2025, after notice and a hearing, the Court entered that *Memorandum Decision on Motion for Order Authorizing Disclosure of Independent Review Board Minutes and Aggregated Claims Data* [ECF No. 1105] (the “Memorandum Decision”).<sup>3</sup> Thereafter, the Debtor and the Committee met and conferred regarding the form of proposed orders to submit to the Court in accordance with the Memorandum Decision. While the parties were able to agree on the form of proposed order granting, in part, the Motion as to the Claims Data, the parties were unable to agree on the form of the Committee Order.

## I.

## OBJECTION TO COMMITTEE ORDER

The Debtor objects to the Committee Order because it would allow for publication of the IRB Minutes **without** redaction of the names of the (a) members of the IRB, and (b) speakers at the IRB meetings (together, the “IRB Parties”). The Debtor raised the need for such redactions in its Opposition.<sup>4</sup> In its Reply,<sup>5</sup> the Committee sought authority to file publicly the Claims Data but

<sup>1</sup> See Memorandum Decision at 10:17-18.

<sup>2</sup> For the Court's and Committee's ease of review, the Debtor further appends to this Objection as Exhibit 2 a redline comparison of the Debtor Order against the Committee Order.

<sup>3</sup> Capitalized terms not otherwise defined in this Objection shall have the same meanings ascribed to them in the Memorandum Decision.

<sup>4</sup> “Opposition” means that Debtor’s Opposition to the Official Committee of Unsecured Creditors’ Motion for an Order Authorizing Disclosure of Independent Review Board Minutes and Aggregated Claims Data [ECF No. 1028].

<sup>5</sup> “Reply” means that *The Official Committee of Unsecured Creditors’ Reply Brief in Support of an Order Authorizing Disclosure of Independent Review Board Minutes And Aggregated Claims Data* [ECF No. 1072].

1 stated “there is no need to unseal the IRB Minutes at this time.” Reply at 1:8-9. Indeed, the  
2 Committee acknowledged that it “has already agreed that the IRB Minutes can remain redacted for  
3 privilege and personal identity information.” Reply at 3:13-14. At the hearing on the Motion, there  
4 was much discussion and some confusion regarding the nature and scope of redactions, but neither  
5 the parties nor the Court directly addressed the question of redacting specific attribution of  
6 statements made during the IRB process to specific IRB Parties in the IRB Minutes. Similarly, the  
7 Memorandum Decision does not specifically address this issue.

8         Given the Committee’s acknowledgement in the Reply that it has already agreed that the  
9 IRB Minutes can remain redacted for, among other things, personally identifiable information, it is  
10 appropriate that the Court’s order as to the IRB Minutes accurately reflect that disclosure of the IRB  
11 Minutes shall be limited and not disclose or reference attribution of statements made by the IRB  
12 Parties. The IRB Parties are not perpetrators of abuse. They are primarily, but not exclusively, lay  
13 people who voluntarily participate in the IRB process. They include a survivor of abuse, a member  
14 of law enforcement, a psychologist and others.

15         While the identity of the members of the IRB is already public, what is not public and should  
16 not be made public is the specific attribution of statements made during the IRB process to specific  
17 IRB Parties. Such public disclosure will completely chill this important process and punish those  
18 who participated in the past based on a reasonable and good faith expectation of anonymity.

19         Other than the issue related to redaction of the attribution of statements made by the IRB  
20 Parties, the Debtor has no objection to the balance of the Committee Order as to form, while  
21 reserving all post-judgment rights. Should the Court have any question regarding the Debtor’s  
22 specific objection to the Committee Order, it respectfully requests that the Court set a telephonic  
23 hearing to allow the parties to be heard.

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II.

**CONCLUSION**

Wherefore, for all of the reasons stated above, the Debtor respectfully requests that the Court enter the Debtor Order.

Dated: April 4, 2025

FELDERSTEIN FITZGERALD WILLOUGHBY  
PASCUZZI & RIOS LLP

By                     /s/ Paul J. Pascuzzi                      
PAUL J. PASCUZZI  
JASON E. RIOS  
THOMAS R. PHINNEY

Attorneys for The Roman Catholic Archbishop of San  
Francisco

Dated: April 4, 2025

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By                     /s/ Ori Katz                      
ORI KATZ  
AMANDA L. COTTRELL  
JEANNIE KIM

Attorneys for The Roman Catholic Archbishop of San  
Francisco

1 **Exhibit 1**

2 **[Debtor's Proposed Form of Order]**

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8 **UNITED STATES BANKRUPTCY COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

10 In re

11 THE ROMAN CATHOLIC ARCHBISHOP  
12 OF SAN FRANCISCO,

13 Debtor and  
14 Debtor in Possession.

Case No. 23-30564

Chapter 11

15 **[PROPOSED] ORDER GRANTING THE**  
16 **OFFICIAL COMMITTEE OF**  
17 **UNSECURED CREDITORS' MOTION**  
18 **FOR AN ORDER AUTHORIZING**  
**DISCLOSURE OF INDEPENDENT**  
**REVIEW BOARD MINUTES**

DATE: March 13, 2025  
TIME: 1:30 p.m.  
PLACE: Courtroom 17  
450 Golden Gate Ave.  
San Francisco, CA 94102

19 The Court has considered *The Official Committee of Unsecured Creditors' Motion for an*  
20 *Order Authorizing Disclosure of Independent Review Board Minutes and Aggregated Claims Data*  
21 *(“Motion”)* and supporting documents, the *Debtor's Opposition* to the Motion, the Committee's  
22 reply, and the arguments of counsel and evidence adduced regarding the Motion at an in-person  
23 hearing on March 13, 2025 before the Court (*“Hearing”*). Based upon the Court's review of the  
24 Motion and all pleadings, evidence, and arguments at the Hearing, and for reasons set forth in the  
25 *Memorandum Decision on Motion for Order Authorizing Disclosure of Independent Review Board*  
26 *Minutes and Aggregated Claims Data* entered March 26, 2025 (*“Opinion”*) [Docket 1105],<sup>1</sup>

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28 <sup>1</sup> Capitalized terms not otherwise defined have the meanings ascribed in the Opinion.

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**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED as to the IRB Minutes produced in discovery and submitted under seal as Exhibit B to the Michael Declaration.
2. The IRB Minutes referenced in paragraph 1 can be made public, subject to the redaction of the names of the members of the IRB and specific attribution of statements to specific IRB members and other speakers at the IRB meetings.
3. The Court shall retain jurisdiction over any and all matters arising from the interpretation, implementation, or enforcement of this Order.

\*\*\* END OF [PROPOSED] ORDER \*\*\*

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**Exhibit 2**  
**[Redline Comparison of Debtor Order Against Committee Order]**

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29 In re  
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Case No. 23-30564

Chapter 11

**~~ORDER GRANTING THE OFFICIAL  
COMMITTEE OF UNSECURED  
CREDITORS' MOTION FOR  
AN~~ PROPOSED ORDER  
AUTHORIZING DISCLOSURE OF  
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9 **IT IS HEREBY ORDERED THAT:**

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12 2. The IRB Minutes referenced in paragraph 1 can be made public, subject to the  
13 redaction of the names of the members of the IRB and specific attribution of statements to specific  
14 IRB members and other speakers at the IRB meetings.

15 3. The Court shall retain jurisdiction over any and all matters arising from the  
16 interpretation, implementation, or enforcement of this Order.

17 ~~AGREED AS TO FORM:~~

18  
19 \_\_\_\_\_  
20 ~~Ori Katz, Esq.~~  
21 ~~Amanda Cottrell, Esq.~~  
22 ~~Counsel to the Debtor~~

23 ~~###~~ \*\*\* END OF [PROPOSED] ORDER ~~###~~ \*\*\*

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28 <sup>1</sup> Capitalized terms not otherwise defined have the meanings ascribed in the Opinion.

<b>Summary report:</b> <b>Litera Compare for Word 11.8.0.56 Document comparison done on</b> <b>4/4/2025 10:16:41 PM</b>	
<b>Style name:</b> SMRH Standard	
<b>Intelligent Table Comparison:</b> Active	
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<b>Modified DMS:</b> nd://4906-5582-9809/2/Order Granting the Committee's Motion for Order Authorizing Disclosure of Independent Review Board Minutes.docx	
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<u>Move To</u>	0
<u>Table Insert</u>	0
<del>Table Delete</del>	0
<u>Table moves to</u>	0
<del>Table moves from</del>	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
<b>Total Changes:</b>	32